

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

BRIAN J. MILLER and	:	Case No. 19-21844-TPA
ANITA M. OSBORNE,	:	
<i>Debtors,</i>	:	Chapter 13
	:	
DOLLAR BANK, FSB,	:	Related to Doc No. 51
<i>Movant,</i>	:	
v.	:	
	:	
BRIAN J. MILLER and ANITA M.	:	
OSBORNE, and, RONDA J.	:	
WINNECOUR, TRUSTEE,	:	
<i>Respondents.</i>	:	

ORDER

On April 1, 2020, a telephonic hearing was held on the *Motion for Relief from the Automatic Stay*, filed by Dollar Bank FSB, at Doc. No. 51; the *Response* filed by the Chapter 13 Trustee at Doc. No. 58, and, the *Response* filed by the Debtors at Doc. No. 59. Dollar Bank, FSB seeks relief from the Automatic Stay as to the Debtors’ real property located at 465 Fernhill Avenue, Pittsburgh, PA 15226 (“Property”) due to the Debtors’ failure to make full plan payments. The Trustee states that substantial equity may exist in the property, which should be preserved. The Debtors assert they were making partial payments due to being unemployed for a period however the Debtor Husband is now back to work full time and the Debtor Wife is back to work part time. The Debtors recently made a payment in the amount of \$2.500 and expect to make plan payments going forward. As a result,

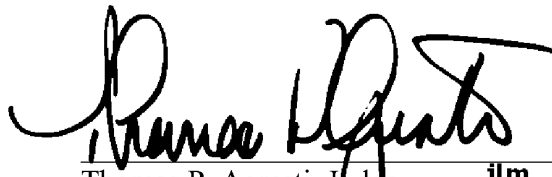
AND NOW, this 2nd day of *April, 2020*, it is hereby ***ORDERED, ADJUDGED and DECREED*** that:

(1) The Automatic Stay provided by *11 U.S.C. §362* is terminated as it affects the interests of Movant with respect to the Debtors' real property located at 465 Fernhill Avenue, Pittsburgh, PA 15226.

(2) This Order granting relief from the Automatic Stay is ***STAYED*** for so long as the Debtors duly make their full monthly Chapter 13 plan payments to the Chapter 13 Trustee, *time is of the essence*.

(3) If any monthly plan payment is at least fifteen (15) days past due, then Marquette Bank may file an *Affidavit of Default*, which shall contain a statement of default as supported by the records of the Chapter 13 Trustee, and request an expedited hearing on the *Affidavit of Default*.

(4) The Court will then schedule an expedited hearing on the *Affidavit of Default* as soon as the Court's calendar will allow.


Thomas P. Agresti, Judge jlm
United States Bankruptcy Court

Case administrator to serve:
Debtors
Kenneth Steidl, Esq.
Beth L. Slaby, Esq.
Ronda J. Winnecour, Esq., Chapter 13 Trustee

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Brian J. Miller
Anita M. Osborne
Debtors

Case No. 19-21844-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: culy
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Apr 04, 2020.
db/jdb +Brian J. Miller, Anita M. Osborne, 465 Fernhill Ave., Pittsburgh, PA 15226-1352

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 04, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 2, 2020 at the address(es) listed below:

Beth L. Slaby on behalf of Creditor Dollar Bank, FSB bslaby@grenenbirsic.com,
mcpupec@grenenbirsic.com
Brian M. Kile on behalf of Creditor Dollar Bank, FSB bkile@grenenbirsic.com,
mcpupec@grenenbirsic.com/lstanger@grenenbirsic.com
David W. Raphael on behalf of Creditor Dollar Bank, FSB raphaeld@fnb-corp.com
James Warmbrodt on behalf of Creditor M&T Bank as servicer for Lakeview Loan Servicing, LLC
bkggroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor City of Pittsburgh and City of Pittsburgh School
District jhunt@grblaw.com, cnoroski@grblaw.com
Kenneth Steidl on behalf of Joint Debtor Anita M. Osborne julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-ste
inberg.com
Kenneth Steidl on behalf of Debtor Brian J. Miller julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-ste
inberg.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 12